



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

November 15, 2010

Holly Jewkes
District Ranger
Crescent Ranger District
P.O. Box 208
Crescent, OR 97733

Re: EPA Region 10 comments on the Draft Environmental Impact Statement for the Three Trails Off-Highway Vehicle Project (EPA Project Number 09-006-AFS)

Dear Ms. Jewkes:

The U.S. Environmental Protection Agency (EPA) has reviewed draft Environmental Impact Statement (DEIS) for the Three Trails Off-Highway Vehicle Project on the Crescent Ranger District of the Deschutes National Forest, Klamath County, Oregon. Our review of the DEIS was conducted in accordance with our responsibilities under National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our Section 309 authority, our review of the DEIS considers the expected environmental impacts, and the adequacy of the EIS in meeting procedural and public disclosure requirements of NEPA.

The Three Trails DEIS examines four alternative Off Highway Vehicle (OHV) trail systems that vary in trail length between 140 and 153 miles. We appreciate the thoughtful approach taken by the District in crafting these alternatives, including the new preferred Alternative E. We support directing motorized use to the most suitable and sustainable places on the landscape, and we are pleased by the emphasis on closing and rehabilitating unneeded roads and trails. We also appreciate the project design criteria added to Chapter 2 in order to afford fens and wetlands along the trail additional protection.

Our review identified questions and concerns that we would like to see addressed in the Final EIS. Our primary concern relates to the scope of the project. We fully recognize that the proposed action alternatives would decrease the overall amount of road and trail on the landscape, and generally improve water quality and habitat. What is less clear is whether the proposed trail system is sized appropriately. The DEIS provides a thorough analysis of the factors that govern rider satisfaction. Less information is provided regarding the minimum amount of trail required to provide a safe and enjoyable riding environment. Given the resource impacts associated with roads and trails, and the Forest Plan exceedances of road density within many of the subwatersheds in the planning area, we encourage the Forest Service to include a quantitative analysis of the minimum trail system required. Our review also raised questions

about cumulative effects from the four proposed OHV projects on the Forest with regard to wildlife movement and the ability of the Crescent Ranger District to secure adequate resources to implement the proposed education, enforcement, safety, and operational maintenance plan. Each of these concerns is detailed covered in detail in the attached comments.

Based on our analysis, we have rated this DEIS as EC-2 (Environmental Concerns – Insufficient Information). An explanation of this rating is enclosed. We appreciate the effort taken by the Forest Service to inform us about this project and address our concerns to date. We also appreciate this opportunity to provide comments on the Draft EIS. I encourage you to contact me or Teresa Kubo of my staff with any questions at (503) 326-2859 or kubo.teresa@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Christine B. Reichgott". The signature is fluid and cursive, with the first name "Christine" and last name "Reichgott" clearly legible.

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosures

**EPA Detailed Comments on the Draft Environmental Impact Statement (DEIS) for the
Three Trails Off Highway Vehicle Project
November 15, 2010**

Project Scope

We are pleased with the efforts taken by the Forest Service to improve resource condition while addressing the four "key issues" identified. We are challenged, however, by the lack of quantitative data regarding the carrying capacity of the proposed system, and the minimum amount of trail required in order to provide a safe and rewarding motorized recreation experience. Table 19 indicates current maximum use (holiday weekends) is around 450 visitors, and that average use is 250 visitors. Alternative E would provide each rider (on average) over 2 miles of trail and Class II road. Given the proposed development of the Lava Rock, Ochoco Summit and Meadow Lake OHV areas, and the twelve OHV opportunities close to Crescent Ranger District identified in Table 18, it would be helpful to have carrying capacity information in order to ensure that the trail system is "right sized". We recognize that motorized recreation is likely to continue to gain in popularity. We also note, however, that although the system proposed under Alternative E is an improvement over current condition in terms of road density, 50% of the subwatersheds within the planning area would continue to exceed Forest Plan standards for road density.

Recommendations:

- We encourage the Forest to include information regarding minimum trail system requirements in the FEIS.
- We also encourage the Forest to consider a phased approach to trail construction, based upon use trends and thresholds (i.e. do not engage in trail construction unless user data indicate that safety thresholds are likely to be exceeded).

Cumulative Impacts

The DEIS does an admirable job of identifying past, present and reasonably foreseeable future actions within the Three Trails project area. Among the projects identified are the Lava Rock, Ochoco Summit and Meadow Lake OHV plans. Although these plans are discussed in reference to cumulative impacts to motorized recreation, they are not discussed in reference to cumulative impacts to wildlife and wildlife movement across the landscape. Likewise, there is no discussion of how these projects will interface in the monitoring and enforcement arena.

Recommendations:

- We recommend that the FEIS clarify whether big game populations within the Crescent Ranger District utilize the areas that would be managed under the proposed Lava Rock, Ochoco Summit and Meadow Lake OHV plans; the extent to which wildlife populations are affected by current management; and the extent to which those populations would be affected (cumulatively) by the implementation of the OHV projects in each of these areas.
- We recommend that the FEIS discuss how the four OHV projects within the Deschutes National Forest (along with Cline Buttes if applicable) will interface with regard to monitoring and enforcement, and the extent to which these projects would rely on the

same pool of resources (volunteers, enforcement officers, etc.). If this analysis indicates that the existing resource base is not adequate to staff, monitor and maintain multiple riding areas, the FEIS should also discuss options to fill that resource gap.

Document consistency

We note some inconsistency between tables and other portions of the document. For example, Table 1 indicates that the proposed action (Alternative B) would allow for up to 130 miles of trail, whereas Table 3 indicates that Alternative B would provide for 143 miles. There are similar discrepancies for Alternatives D, and E. Similarly, page 101 of the document indicates that Alternative E would provide for 134 whereas Tables 1, 3 and 4 indicate that Alternative E would provide for 140 miles of trail. In order to allay confusion over the number of miles of trail under each alternative, we recommend that these tables be reconciled.

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.